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8 Patient Care Ombudsman

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UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SANTA ANA DIVISION

In re

ARIAN MOWLAVI,

Debtor-In-Possession.

Chapter 11

Case No.: Case No. 8:22-bk-10296 SC

**STATUS REPORT AND EIGHTH  
INTERIM REPORT OF PATIENT CARE  
OMBUDSMAN PURSUANT TO 11  
U.S.C. §333(b)(2)**

Judge: Hon. Scott C. Clarkson

**Status Hearing:**

Date: January 17, 2024

Time: 11:00 a.m.

Ctrm: 5C – Fifth Floor  
(via ZoomGov)

1 **TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY**  
2 **JUDGE, THE OFFICE OF UNITED STATES TRUSTEE, THE CHAPTER 11 TRUSTEE,**  
3 **AND ALL PARTIES OF INTEREST:**

4 **I. Appointment of Patient Care Ombudsman Pursuant to 11 U.S.C. § 333**

5 Pursuant to Federal Rules of Bankruptcy and the order directing this appointment entered  
6 by this Court Tamar Terzian was duly appointed as the successor Patient Care Ombudsman (PCO)  
7 for Dr. Arian Mowlavi. (the “Dr. Mowlavi”) in this case. In accordance with Section 333(b)(2) this  
8 eighth interim report (the “Eighth Interim Report”) is hereby respectfully submitted for the period  
9 of October 1, 2023, through January 1, 2024 period (the “Eighth Reporting Period”).

10 In compliance with the federal privacy requirements, the PCO cannot disclose any  
11 individually identifiable health information that could distinguish a patient directly or could  
12 provide a reasonable basis to do so. *See* 45 CFR §160.103. Accordingly, while all PCO's  
13 observations, audits, and interviews occurred between her appointment and the filing of this  
14 report, the specific names and interview dates will not be provided.

15 Further, as with all regulatory/compliance work, the PCO does not assume liability for  
16 compliance obligations under state and federal law and any and all proposed or implementing  
17 regulations. Moreover, while the PCO may use auditing tools/guidelines that are employed by  
18 certification agencies and auditors, the PCO does not certify the Hospitals compliance with  
19 regulatory standards.

20 **II. Current Status of Continued Practice:**

21 PCO continues to conduct her duties by making unannounced visits at 32406 Coast  
22 Highway, Laguna Beach, CA 92651 (the “Surgical Center”), communicating with Debtor’s  
23 counsel, the physician of the LA Surgical Center (“L.A. Surgery Center”) and the duly appointed  
24 Chapter 11 Trustee. During PCO’s visit, Dr. Mowlavi has leased the offices of the Surgical Center  
25 and is no longer conducting any operations in the Surgical Center. Based on this new lease, all  
26 items have been relocated to the back post-operation recovery area. PCO observation during this  
27 interim period had no employees other than his surgical technician that were present during the  
28 Surgery Site visit. Dr. Mowlavi had approximately 6-10 pre-operation and post-operation

1 consultations per week, and no procedures.

2 Medical Board is aware of patients status and has also appointed a physician to review  
3 consults conducted by Dr. Mowlavi. The Medical Board is currently investigating and has not  
4 disclosed any information to PCO. There is also an investigator appointed from the California  
5 Department of Consumer Affairs, who was present during the Search. The PCO has limited  
6 information because it is an ongoing investigation.

7 **Medical Records**

8 The Medical Records are stored on-site. The medical records are stored in L.A. Surgical  
9 Center. PCO did not observe any patient charts in the L.A. Surgical Center, because it is unclear  
10 how charts are maintained in the L.A. Surgical Center location for Dr. Mowlavi's patients and the  
11 overall relationship in terms of sharing patients.

12 **Physician Interviews**

13 During visits to Laguna, PCO spoke to the surgical technician and Dr. Mowlavi. As stated  
14 above, there are no surgical procedures performed in the Laguna location. The Los Angeles  
15 physician was responsive to PCO's requests. Staffing is provided for surgeries in the L.A. Surgery  
16 Center, including but not limited to an anesthesiologist, one nurse, one medical assistant and one  
17 surgical technician.

18 **III. Conclusion**

19 PCO recommends that Dr. Mowlavi regularly report to PCO and Chapter 11 Trustee all  
20 events affecting patient care during such consultations.

21 Dated: January 10, 2024

TAMAR TERZIAN

22 By: /s/Tamar Terzian

23 Tamar Terzian  
24 Patient Care Ombudsman  
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